

# EXHIBIT 1



30 Winter Street  
Suite 800  
Boston, MA 02108  
P 617.426.1350  
F 617.426.3594  
[www.glad.org](http://www.glad.org)

September 19, 2014

R E C E I V E D

E.E.O.C.  
BOSTON AREA OFFICE

Feng K. An  
U.S. Equal Employment Opportunity Commission  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203-0506

Dear Mr. An,

Please accept for filing with the Equal Employment Opportunity Commission the enclosed charge of discrimination on behalf of Jacqueline Cote, which I understand your office will be cross-filing with the Massachusetts Commission Against Discrimination. You can reach me at 617-426-1350 with any questions.

Sincerely,



Janson Wu

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

 FEPA  
 EEOC
**Massachusetts Commission Against Discrimination (MCAD)**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Mrs. Jacqueline A. Cote**

Home Phone (Incl. Area Code)

774-526-3996

Date of Birth

9/2/1962

Street Address

**3687 Acushnet Ave.**

City, State and ZIP Code

**New Bedford, MA 02745**

RECEIVED

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

BOSTON AREA OFFICE

Name

**Walmart**

No. Employees, Members

Phone No. (Include Area Code)

**508-677-3775**

Street Address

**262 Swansea Mall Dr.**

City, State and ZIP Code

**Swansea, MA 02777**

Name

**Wal-Mart Stores Inc.**

No. Employees, Members

**2 million**

Phone No. (Include Area Code)

**479-273-4000**

Street Address

**702 SW 8<sup>th</sup> Street**

City, State and ZIP Code

**Bentonville, AR 72716****DISCRIMINATION BASED ON** (Check appropriate box(es).)

<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input checked="" type="checkbox"/> SEX	<input type="checkbox"/> RELIGION	<input type="checkbox"/> NATIONAL ORIGIN
<input type="checkbox"/> RETALIATION	<input type="checkbox"/> AGE	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> GENETIC INFORMATION	
<input type="checkbox"/> OTHER (Specify)				

**DATE(S) DISCRIMINATION TOOK PLACE**

Earliest

Latest

2008

December 31, 2013

 CONTINUING ACTION**THE PARTICULARS ARE** (If additional paper is needed, attach extra sheet(s):

1. I am an associate at a Walmart store in Swansea, MA. I have been employed by Wal-Mart Stores, Inc. ("Walmart") from April 1999 to the present in various stores and locations throughout Maine and Massachusetts and have performed my job in a satisfactory manner at all times.
2. To the best of my knowledge, Walmart is a multi-national retail company. It is the world's largest public corporation, the biggest private employer in the world with over two million employees, the largest retailer in the world, and the largest private employer in the United States. Walmart's corporate headquarters are located in Bentonville, Arkansas.
3. As part of my compensation, I receive employee health insurance benefits. To the best of my knowledge, those benefits are self-insured through Walmart and administered through Blue Cross Blue Shield. Walmart pays the majority of the cost of employees' health insurance benefits. Walmart provides qualified employees with the option of obtaining health insurance coverage for their spouses and similarly pays the majority of the cost of spouses' health insurance benefits.
4. Prior to January 2014, Walmart had a national policy, pattern, and practice of not providing employees who had spouses of the same sex health insurance coverage for their spouses.
5. On May 22, 2004, I married my spouse Diana ("Dee") Smithson in Provincetown, Massachusetts. At all times, my marriage to Dee has been lawful and recognized by the Commonwealth of Massachusetts. We live together in New Bedford, Massachusetts.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

**NOTARY – When necessary for State and Local Agency Requirements***Notarization on back of page*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

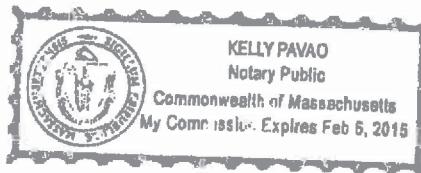
*JACQUELINE A. COTE*SUBSCRIBED AND SWEARN TO BEFORE ME THIS DATE  
(month, day, year)

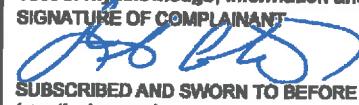
Date

Charging Party Signature

ACKNOWLEDGMENT

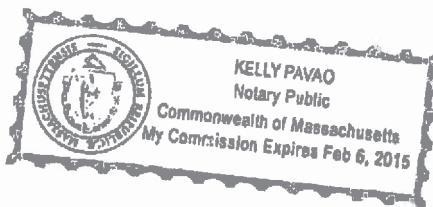
On this day 18 of September 2014 before me, the  
undersigned notary public, personally appeared  
Jacqueline A. Cote  
and proved to me through satisfactory evidence of identification, which were  
MA DL SC65327105  
to be the person whose name is signed on the preceding or attached document,  
and acknowledged to me that he/she signed it voluntarily for its stated purpose.  
Kelly Pavao



CHARGE OF DISCRIMINATION		Charge Presented To:	Agency(ies) Charge No(s):
<p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
<b>Massachusetts Commission Against Discrimination (MCAD)</b>		and EEOC	
State or local Agency, if any			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>6. Dee also worked at Walmart as a claims associate until approximately 2008, when she left her employment to stay at home to be the primary caregiver for my mother, who was suffering from dementia and living with us. After Dee's COBRA coverage ran out, she purchased individual insurance coverage from Mid-West Life Ins. Co. of Tennessee.</p>			
<p>7. Beginning as early as 2008 or 2009, I regularly attempted to enroll Dee in my health insurance plan for spousal health insurance benefits during Walmart's open enrollment period that occurs once a year. This became especially important to us after Dee began purchasing individual health insurance coverage, which was quite expensive. Each such time I would enter Dee's sex as female into the online computer system, I immediately would receive a notification that I could not proceed further with my request and that I should call the home office.</p>			
<p>8. When I called Walmart's home office to request that Dee be added to my health insurance as my spouse, I would be told on the phone by a Walmart representative that Walmart did not offer health insurance coverage to same-sex spouses, even though I am otherwise qualified to receive those benefits.</p>			
<p>9. In August 2012, Dee was diagnosed with ovarian cancer. As a result of her diagnosis, Dee had to undergo numerous and expensive treatments, including chemotherapy. She was also hospitalized at one time due to side effects of the chemotherapy.</p>			
<p>10. Dee was also hospitalized in November 2013 due to a pulmonary embolism.</p>			
<p>11. While Dee initially had health insurance through her individual coverage at the time of her diagnosis, which she and I had paid for, she lost that coverage in October 2012, and thereafter Dee was unable to obtain other health insurance.</p>			
<p>12. Given Dee's extreme vulnerability of having ovarian cancer without medical insurance, in October 2012, I again attempted to enroll Dee for spousal health insurance coverage during Walmart's open enrollment and was again denied the ability to add Dee to my health insurance coverage as a spouse. Dee remained uninsured until January 1, 2014, due to Walmart's discriminatory national policy, pattern, and practice of not providing employees with spouses of the same sex health insurance coverage for their spouses.</p>			
<p>13. Walmart refused to provide spousal health insurance coverage for my spouse because I am a woman married to another woman, even though Walmart would have provided such coverage if I were a man married to a woman.</p>			
<p>14. Walmart refused to provide spousal health insurance coverage for my spouse because my spouse is a woman, even though Walmart would have provided such coverage if my spouse were a man.</p>			
<p>15. Walmart refused to provide spousal health insurance benefits because of Walmart's sex-based stereotypes and stereotyping that a woman should only be married to a man and not a woman.</p>			
<p>16. Walmart refused to provide spousal health insurance coverage for my spouse because of our same-sex sexual orientation.</p>			
<p>17. As a result of Walmart's national policy, pattern, and practice of not providing employees with spouses of the same sex health insurance coverage for their spouses, Dee and I have suffered significant economic and non-economic harm, including negative financial consequences, health issues, emotional and physical harm, as well as pain and suffering. In particular, because of Walmart's discriminatory policy we have incurred approximately \$100,000 of uninsured, medical expenses. Owing that amount of debt has not only been enormous stressful to both of us, it has also complicated and harmed Dee's health, wellbeing, and recovery.</p>			
<p>18. I believe that I have been discriminated against because of my sex in violation of the Massachusetts' employment discrimination law, Mass. Gen. Laws ch. 151B, and Title VII of the federal Civil Rights Act of 1964.</p>			
<p>19. I am filing this charge on behalf of myself and a class of all other employees of Walmart nationwide who were married to someone of the same sex and were subjected to Walmart's national policy, pattern, and practice of not providing employees with spouses of the same sex health insurance coverage for their spouses prior to January 1, 2014, including female employees of Walmart married to women and male employees of Walmart married to men.</p>			
<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>		<p>NOTARY - When necessary for State and Local Agency Requirements</p> <p><i>Notarization on back of page</i></p>	
<p>I declare under penalty of perjury that the above is true and correct.</p> <p><u>9/18/2014</u> </p> <p>Date</p>		<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p></p> <p>SUBSCRIBED AND SWEORN TO BEFORE ME THIS DATE (month, day, year)</p>	

**ACKNOWLEDGMENT**

On this day 18 of September 2014, before me, the undersigned notary public, personally appeared Jacqueline A. Cote, and proved to me through satisfactory evidence of identification, which were MA DL S16532705, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.  
Dulcy Fawcett



# EXHIBIT 2



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Boston Area Office**

Internet: [www.eeoc.gov](http://www.eeoc.gov)  
(617) 565-3200  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)  
TTY: (617) 565-3204  
FAX: (617) 565-3198

John F. Kennedy Federal Building  
Government Center, Room 475  
Boston, MA 02203-0506  
Toll Free Number: (800) 408-8075  
Boston Direct Dial: (617) 565-4805  
Boston Direct Line:

**FINAL DETERMINATION**

Jacqueline A. Cote [Charging Party]  
c/o Gay & Lesbian Advocates & Defenders  
Attn. Janson Wu, Esq.  
30 Winter Street, Suite 800  
Boston, MA 02108

v.

Wal-Mart Stores East, LP [Respondent]  
c/o Littler Mendelson, P.C.  
333 SE 2<sup>nd</sup> Avenue, Suite 2700  
Miami, Florida 33131  
Attn. Erica Hickman, Esq.

Re: Jacqueline A. Cote v. Wal-Mart Stores East, LP  
EEOC Charge No. 523-2014-00916

I issue the following determination on the merits of the subject charge. Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended [TVII]. All requirements for coverage have been met.

Charging Party alleges she was subjected to employment discrimination by the Respondent because of her sex [female] in violation of TVII. Specifically, Charging Party states that as part of her compensation package, she received employee health insurance benefits, and that Respondent provides qualified employees with the option of obtaining health insurance coverage for their spouse.

Respondent denies discriminating against Charging Party. In its position statement, Respondent asserts that “[Wal-Mart’s] heath benefits plan is self-insured, and issues relating to plan coverage are therefore governed by the federal Employee Retirement Income Security Act.”

The Commission’s investigation reveals that Charging Party, female, applied for “spousal

“health insurance benefits” in 2008 or 2009, with the Respondent, and was denied the benefit due to Respondent’s policy that individuals eligible for benefits had to be “[a] legal spouse of the opposite gender.” While it is true that Respondent subsequently modified its “health benefits plan to include same-sex spouses and domestic partners” effective January 1, 2014, Charging Party was subjected to employment discrimination in that she was treated differently and denied benefits *because* of her sex, since such coverage would be provided if she were a woman married to a man.

The Commission finds that Respondent’s refusal to add Charging Party’s spouse to her health insurance coverage following their marriage constituted discrimination on the basis of her sex, female.

Based on the above, the Commission has determined that there is reasonable cause to believe that the Respondent has discriminated against the Charging Party on account of her sex.

This determination is final. TVII requires that, if the Commission determines that there is reasonable cause to believe that violations have occurred, it shall endeavor to eliminate the alleged unlawful employment practices by informal methods of conference, conciliation, and persuasion. Having determined that there is reason to believe that violations have occurred, the Commission now invites Respondent to join with it in an effort toward a just resolution of this matter. Please contact Equal Opportunity Investigator Susan Boscia at 617-565-3213 on or before February 9, 2015, to indicate your willingness to conciliate this matter.

Disclosure of information obtained by the Commission during the conciliation process may only be made in accordance with TVII and the Commission’s Procedural Regulations. The confidentiality provisions of Sections 706 and 709 of Title VII and Commission Regulations apply to information obtained during conciliation.

If Respondent declines to enter into conciliation discussions, or when the Commission’s representative is unable to secure an acceptable conciliation agreement, the Director shall so inform the parties, advising them of the court enforcement alternatives available to aggrieved persons and the Commission.

On behalf of the Commission:



Kenneth An, JD  
Director  
Boston Area Office

JAN 29 2015

\_\_\_\_\_  
Date

# EXHIBIT 3



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Boston Area Office**

Internet: [www.eeoc.gov](http://www.eeoc.gov)  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)

John F. Kennedy Federal Building  
Government Center, Room 475  
Boston, MA 02203-0506  
Toll Free Number: (866) 408-8075  
Boston Direct Dial: (617) 565-4805  
Boston Direct Line: (617) 565-3200  
TTY: (617) 565-3204  
FAX: (617) 565-3196

RE: Charge No.: 523-2014-00916  
Cote v. Wal-Mart Stores East, L.P.

**Charging Party**

Jacqueline Cote  
3687 Acushnet Ave  
New Bedford, MA 02745

**Charging Party Counsel**

Alison Wright, Esq. & Janson Wu, Esq.  
GLAD (Gay & Lesbian Advocates & Defenders)  
30 Winter Street Suite 800  
Boston, MA 02109

Peter Romer-Friedman, Esq., Deputy Director of Litigation  
Washington Lawyers' Committee for Civil Rights & Urban Affairs  
11 Dupont Circle, NW, Suite 400  
Washington, DC 20036

**Respondent/Respondent Counsel**

WAL-MART STORES EAST, L.P.  
c/o Christopher B. Kaczmarek, Esq.  
Littler Mendelson, PC  
One International Place, Suite 2700  
Boston, MA 02110

The U.S. Equal Employment Opportunity Commission ("Commission") has determined that efforts to conciliate the above referenced Charge of Discrimination ("Charge") as required by Title VII of the Civil Rights Act of 1964, as amended, have been unsuccessful.

This letter constitutes the notice required by §1601.25 of the Commission's Procedural Regulations which provides that the Commission shall notify a respondent in writing when it determines that further conciliation would be futile or non-productive.

No further efforts to conciliate this case will be made. At this time the Charging Party will receive a Notice of Right to Sue and may pursue this matter in Federal Court.

On Behalf of the Commission:

Kenneth An  
Area Director

Date

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE  
(CONCILIATION FAILURE)

To: Jacqueline Cote  
3887 Acushnet Ave  
New Bedford, MA 02745

From: Boston Area Office  
John F. Kennedy Fed Bldg  
Government Ctr, Room 475  
Boston, MA 02203

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
523-2014-00916	Susan M. Boscia, Investigator	(617) 565-3213

## TO THE PERSON AGGRIEVED:

This notice concludes the EEOC's processing of the above-numbered charge. The EEOC found reasonable cause to believe that violations of the statute(s) occurred with respect to some or all of the matters alleged in the charge but could not obtain a settlement with the Respondent that would provide relief for you. In addition, the EEOC has decided that it will not bring suit against the Respondent at this time based on this charge and will close its file in this case. This does not mean that the EEOC is certifying that the Respondent is in compliance with the law, or that the EEOC will not sue the Respondent later or intervene later in your lawsuit if you decide to sue on your own behalf.

**- NOTICE OF SUIT RIGHTS -**  
*(See the additional information attached to this form.)*

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Feng K. An,  
Area Office Director

Enclosures(s)

(Date Mailed)

cc: WAL-MART STORES EAST, L.P.  
c/o Christopher B. Kaczmarek  
Littler Mendelson, PC  
One International Place, Suite 2700  
Boston, MA 02110

Alison Wright, Esq. & Janson Wu, Esq.  
GLAD (Gay & Lesbian Advocates & Defenders)  
30 Winter Street Suite 800  
Boston, MA 02109

Peter Romer-Friedman, Esq., Deputy Director of Litigation  
Washington Lawyers' Committee for Civil Rights & Urban Affairs  
11 Dupont Circle, NW, Suite 400  
Washington, DC 20036

Enclosure with EEOC  
Form 181-A (11/09)

## **INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC**

*(This Information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS** -- **Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination In Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS** -- **Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 – in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION** -- **Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE** -- **All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***

## FACTS ABOUT FILING AN EMPLOYMENT DISCRIMINATION SUIT IN FEDERAL COURT IN THE STATE OF MASSACHUSETTS

You have received a document which is the final determination or other final action of the Commission. This ends our handling of your charge. The Commission's action is effective upon receipt. Now, you must decide whether you want to file a private lawsuit in court. This fact sheet answers several commonly asked questions about filing a lawsuit.

### WHERE SHOULD I FILE MY LAWSUIT?

Federal District Courts have strict rules concerning where you may file a suit. You may file a lawsuit against the respondent (employer, union, or employment agency) named in your charge. The appropriate court is the district court which covers either the county where the respondent is located or the county where the alleged act of discrimination occurred. A lawsuit can be filed at the following U.S. District Court locations in Massachusetts:

- The United States District Courts for the District of Massachusetts are located at:

- The John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, MA 02210 or by contacting the Clerk of Court Office at (617) 748-9152
- Donohue Federal Building & Courthouse, 595 Main Street, Room 502, Worcester, MA 01608 or by contacting the Clerk of Court Office at (508) 929-9000
- Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103 or by contacting the Clerk of Court Office at (413) 785-0214

### WHEN MUST I FILE MY LAWSUIT?

Your private lawsuit must be filed in U.S. District Court within 90 days of the date you receive the enclosed final action. Once this 90 day period is over, unless you have filed suit, you will have lost your right to sue.

### DO I NEED A LAWYER?

No, you do not need a lawyer to file a private suit. You may file a complaint in federal court without a lawyer which is called a *pro se* complaint. Every district court has either a clerk or staff attorney who can assist you in filing *pro se*. To find out how to file a *pro se* complaint, contact the clerk of the court having jurisdiction over your case who can advise you of the appropriate person to assist you and of the procedures to follow, which may vary from district to district.

You may, however, wish to retain a lawyer in order to adequately protect your legal rights. Whether you retain a private attorney, or file *pro se*, you must file your suit in the appropriate court within 90 days of receiving this mailing.

### WHAT IF I WANT A LAWYER BUT CAN'T AFFORD ONE?

If you can't afford a lawyer the U.S. District Court which has jurisdiction may assist you in obtaining a lawyer. You should consult with the office of the district court that assists *pro se* complainants for specific instructions on how to seek counsel.

Generally, the U.S. District Court charges a \$350.00 filing fee to commence a lawsuit. However the court may waive the filing fee if you cannot afford to pay it. You should ask the office of the District Court that assists *pro se* complainants for information concerning the necessary procedure to request that the filing fee be waived.

### HOW CAN I FIND A LAWYER?

These are several attorney referral services operated by bar or other attorney organizations which may be of assistance to you in finding a lawyer to assist you in ascertaining and asserting your legal rights:

American Bar Association	(312) 988-5522
The Massachusetts State Bar Association	(617) 338-0500
National Employment Lawyers Association Referral Service	(212) 819-9450

Your County, City or Municipal Lawyers or Bar Association may also be of assistance.

### HOW LONG WILL THE EEOC RETAIN MY CASE FILE?

Generally, the Commission's rules call for your charge to be destroyed after 2 years from the date of a no cause determination or six months after other types of final actions. If you file a suit, and wish us to retain your file for more than the normal retention period, you or your attorney should forward a copy of your court complaint to this office within 10 days after you file suit. IF YOU FILE SUIT, YOU OR YOUR ATTORNEY SHOULD ALSO NOTIFY THIS OFFICE WHEN THE LAWSUIT IS RESOLVED.